

Rhode Island Higher Education Assistance Authority

Notice of Proposed Rulemaking - Repeal

Pursuant to the provisions of Chapter 57 of Title 16 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Rhode Island Higher Education Assistance Authority (RIHEAA) hereby gives notice of its intent to repeal its rules and regulations governing the former Adult Education Grant program.

The purpose of this repeal is to remove regulations governing a no longer viable program so as not to unnecessarily restrict the development of future adult education programs.

Persons who are interested in viewing the rules and regulations subject to this repeal may do so by contacting RIHEAA at 560 Jefferson Blvd., Suite 100, Warwick, RI, (401) 736-1172, during the hours of 8:30 AM to 4:00 PM, Monday through Friday, and anyone interested in presenting their views on the proposed rules and regulations may do so, orally or in writing, by contacting Michael Joyce, administrator of such programs, at such address and telephone number on the days and during the times specified above.

Concise Summary of Non-Technical Amendments

The proposal would repeal the Rules and Regulations governing the Adult Education Grant Program (ERLID 5237) in their entirety. The program is considered non-viable under the current rules and regulations, and its previous implementation governed by the current rules and regulations was not successful.

REPEAL

THE RHODE ISLAND HIGHER EDUCATION ASSISTANCE AUTHORITY

~~ADULT EDUCATION GRANT PROGRAM~~

~~Rules and Regulations~~

~~The following rules and regulations are adopted by the Rhode Island Higher Education Assistance Authority pursuant to Chapter 57 of Title 16 of the General Laws of Rhode Island, as amended, for the establishment and implementation of the Adult Education Grant Program.~~

~~I. ELIGIBILITY~~

~~A. Citizenship and Residence~~

~~An applicant shall be eligible for consideration for an Adult Education Grant when it is determined that:~~

- ~~1. The applicant meets the same citizenship eligibility criteria as required by the US Department of Education in the administration of federal Title IV student financial aid programs~~
- ~~2. The applicant and the dependent applicant's parent have been Rhode Island residents since January 1st prior to the academic year for which the award is granted. The definition of dependency will be consistent with the definition used by the US Department of Education in the administration of federal Title IV student financial aid programs.~~

~~B. Federal Financial Aid Eligibility~~

~~The applicant must not owe a refund on a federal Title IV grant; must not be in default on a federal Title IV loan without having made satisfactory repayment arrangements with the holder of the loan to re-establish Title IV eligibility; and must meet Title IV eligibility requirements concerning drug convictions and registering with Selective Service.~~

~~C. Participation in Adult Education Sponsored Program~~

~~The applicant must be designated as an applicant by a Sponsoring Agency (as identified by the Rhode Island Department of Elementary and Secondary Education) and must complete the application process for such designation~~

~~II. APPLICABILITY OF AWARDS~~

~~A. Enrollment Status~~

~~Successful applicants may use an award at any post-secondary institution in Rhode Island declared eligible by the U.S. Department of Education to participate in Title IV financial aid programs, if enrolled as an undergraduate student on a less than half time basis in a course of instruction leading to a diploma, certificate or a degree.~~

~~III. APPLICATION~~

~~A. Applicants to the Adult Education Grant Program must:~~

- ~~1. Complete the application process with the Sponsoring Agency~~
- ~~2. Be designated by the Sponsoring Agency as an eligible applicant.~~
- ~~3. Obtain, complete and submit a current year Free Application for Federal Student Aid (FAFSA)~~

~~Priority consideration will be given those financially needy students whose application is received by a date set by the Authority~~

5/29/2008

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~~IV. SELECTION OF RECIPIENTS~~

~~A. Basic Considerations~~

- ~~1. Eligibility Determination~~ Each applicant for the Adult Education Grant first shall have their eligibility determined on the basis of the criteria enumerated by the Sponsoring Agency. No person shall be denied eligibility for consideration because of race, color, sex, age, gender identity or expression, national origin, religion, handicap/disability status, veteran status, or sexual orientation.
- ~~2. Financial Need Determination~~ The financial need of each eligible applicant shall be determined by using the expected family contribution determined by the FAFSA review process or other criteria as shall be established from time to time by the Authority. For the purpose of preliminary award determination, the assumption shall be that the applicant will be enrolled on a less than half-time basis.

~~B. Identification of Adult Education Grant Applicants~~

- ~~1. All eligible applicants will be persons participating in the initiatives identified by the RI Department of Elementary and Secondary Education, for example: Transition to College, Developmental Institutes, Newport Skills Alliance Onramp Program.~~
- ~~2. Award recipients shall be determined as follows:~~
 - ~~a) A cut off shall be determined annually by the Authority by establishing the total number of awards to be granted and the funds to be committed, taking into consideration a ranking of applicants by financial need.~~
 - ~~b) To the extent funds become available, eligible applicants who were not initially designated as award recipients may be considered for an award.~~

~~V. ESTABLISHING AWARDS~~

~~A. Limits of Monetary Awards~~

- ~~1. The individual aggregate award limit, annual award amounts and number of awards will be established annually by the Authority based on the availability of funds and the assessed demands of the program.~~
- ~~2. No recipient shall receive an award greater than his or her determined financial need.~~

~~VI. NOTIFICATION OF RESULTS~~

~~A. Notification~~

- ~~All Adult Education Grant recipients shall be notified of their award either electronically or through paper notification.~~

~~B. Acceptance~~

- ~~1. All recipients will be asked to designate the one post-secondary institution to which they wish to apply the Adult Education Grant.~~
- ~~2. In the event that any change in college choice, attendance status, or financial need occurs, the Authority reserves the right to adjust and or cancel the recipient's award if such change results in a different~~

~~financial need or an attendance status not meeting grant eligibility
enrollment requirements.~~

~~C. Income Verification~~

~~The Authority reserves the right to obtain the applicant's or dependent
applicant parents' federal or state Income Tax Return in order to verify
information supplied on the Free Application for Federal Student Aid
(FAFSA).~~

~~VII. PAYMENT~~

~~A. Verification of Enrollment and Attendance Status~~

- ~~1. Verification Rosters – A roster displaying selected information on each
recipient shall be sent electronically to the institutions designated by the
recipient, or, if no designation is made by the recipient, to all
institutions listed on the recipient's FAFSA.~~
- ~~2. The appropriate official within the institution shall verify the students
appearing on the roster, their enrollment status, dependency status,
estimated family contribution, financial need, compliance with
regulations governing federal student financial aid.~~

~~B. Payment to Institution~~

- ~~1. Payments of Adult Education Grant will be made directly to institutions
upon receipt of an electronic request for payment from the institution.~~
- ~~2. Payments to the institution shall be conditional to the extent that the
institution as a condition of acceptance of the funds, shall agree that an
Adult Education Grant will not be used to displace institutional gift aid.~~
- ~~3. Should a recipient's enrollment in postsecondary education be
discontinued for any reason, academic or otherwise, any unused funds
which have been provided for the current year's award are to be
refunded directly to the Authority in accordance with the Authority's
policy for making such refunds. Such policy shall be in keeping with
refund requirements for Federal Title IV funds.~~

~~VIII. RENEWALS~~

~~A. Each Adult Education Grant recipient shall be eligible for renewal upon
the student's application in accordance with these regulations and upon the
Authority's finding that:~~

- ~~1. The applicant continues to satisfy the residency requirements set forth
in these regulations;~~
- ~~2. The applicant continues to comply with applicable regulations
governing federal student financial aid; and~~
- ~~3. The applicant's financial situation continues to warrant receipt of a
monetary award.~~

~~IX FUNDING~~

~~The sum designated shall be allocated in such manner deemed appropriate
by the Rhode Island Higher Education Assistance Authority after having
assessed the impact of the program, funding level for the program and after
having identified the availability of funds which best meet the objectives of
the program~~

~~X EXECUTIVE DECISIONS~~

~~Unusual circumstances that may impact on individual awards in the ordinary
operation of the Adult Education Grant Program that are not specifically guided
by the regulations herein shall be ruled upon by the Executive Director~~

~~RHODE ISLAND HIGHER EDUCATION ASSISTANCE AUTHORITY~~

By

William H. Hurry, Jr.
William H. Hurry, Jr.
Executive Director

5/29/08
Date

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